IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 4853 of 1996

Between:

M/S SKYLINE STEELS PVT LTD REP: BY ITS MANAGING DIRECTOR, SRI IMMANENI VENKAT RAO
D-1 INDL ESTATE, SRI IMMEINENI VENKAT RAO, VISAKHAPATNAM

..... PETITIONER

AND

1 The Dist.Collector(Land Acquisition)
Visakhapatnam, Visakhapatnam Dist.
2 The Member Secretary,
APSEB Board, Vidyut Soudha,
Somajiguda, Hyderabad.
3 The Chief Engineer,
A.P.S.E.B. Board (T & C), Vidyut Soudha,
Hyderabad.
4 The Executive Engineer(T & C)
A.P.S.E.B. Board, Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the impugned action of the respondents in proposing to install the H.T. Power lines over the petitioner's premises situated at Sy.No.225/2 and 227 situated at Vellanki (V), Anandapuram(M), Visakhapatnam Dist, without intiating any proceedings including Land Acqusiition Proceedings, as illegal, arbitrary, void and ab-initio and violative of Articles 14 and 300-A of the Constitution of India besides provisions of the Indian Telegraphic Act and further the respondents may be further directed not to instal the H.T. Power lines over the petitioner's premises at Sy.No.225/2 and 227 situated at Vellanki (v) of Anandapuram(M) Visakhapatnam Dist.

Counsel for the Petitioner: MR.A.RAVINDER
Counsel for the Respondents 2 to 4: MR.V.AJAYAKUMAR

The Court made the following :

THE HONOURABLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO.4853 OF 1996

ORDER:

This writ petition is filed seeking a writ of mandamus to declare the action of the respondents in proposing to install the H.T.power line from the land of the petitioner bearing Survey No.225/2 and 227 situated at Vellanki village, Anandapuram Mandal of Vishakapatnam District.

This writ petition is filed on the apprehension that on a representation from the landowner in survey No.224, respondents were trying to divert the original alignment in laying the H.T.power line.

In the counter filed on behalf of the respondents 2 to 4, it is stated that the lines were not diverted from the original alignment and the work is completed as per the original alignment only.

Even according to the affidavit filed in support of the writ petition, the petitioner did not object for the original alignment. Only on the apprehension that the H.T. power line will be erected from the land in question altering the original alignment, this writ petition is filed.

Now in view of the counter filed by the respondents, it is made clear that the lines were installed only adhering to original alignment. In that view of the matter, there are absolutely no grounds to grant the relief sought for in this writ petition. The writ petition is devoid of merits and the same is liable to be dismissed.

Accordingly the writ petition is dismissed. No order as to costs.

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JUSTICE R.SUBHASH REDDY

Dated 09.02.2005.

Mdaa.

Copy to:

1 The Dist.Collector(Land Acquisition)
Visakhapatnam, Visakhapatnam Dist.
2 The Member Secretary,
APSEB Board, Vidyut Soudha,
Somajiguda, Hyderabad.
3 The Chief Engineer,
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4 The Executive Engineer(T & C)
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5. Two C.D.copies.